

# How does DNR regulate CAFO “pastures”?

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- Ch. NR 243 Animal Feeding Operations Wisconsin Administrative Code
- (Applicable to large CAFO's and other AFO's that discharge pollutants to waters of the state.)
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- Definitions:
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- **NR 243.11(3)(a)** "A discharge of pollutants from manure or process wastewater to waters of the state by an unpermitted animal feeding operation [AFO] with 1,000 animal units or more is prohibited. A pasture or grazing area may operate without WPDES permit coverage."
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- **NR 243.12(1)** "A large CAFO may not discharge pollutants from manure or process wastewater to waters of the state unless the discharge is covered by and in compliance with a WPDES permit."
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- **(54) "Production area"** means that part of an animal feeding operation that includes the animal confinement area, the manure storage area, the raw materials storage area, and the waste containment areas but not CAFO outdoor vegetated areas. The animal confinement area includes but is not limited to open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milkrooms, milking centers, cowyards, barnyards, medication pens, walkers, animal walkways and stables. The manure storage area includes but is not limited to lagoons, runoff ponds, storage sheds, stockpiles, under house or pit storages, liquid impoundments, static piles, and composting piles. The raw materials storage area includes but is not limited to feed silos, silage bunkers and bedding materials. The waste containment area includes but is not limited to settling basins, and areas within berms and diversions that separate uncontaminated storm water. Included in the definition of production area is any egg washing or egg processing facility, and any area used in the storage, handling, treatment or disposal of mortalities.
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- **(3) "Ancillary service and storage areas"** means areas that are adjacent to the production area, but are not used for handling or managing livestock, livestock products, mortalities, manure, process wastewater or raw materials. These ancillary areas include areas such as access roads, shipping and receiving areas, pesticide and herbicide storage, oil or fuel storage, raw material handling, equipment maintenance, crop equipment or vehicle storage and maintenance areas and refuse piles.
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- = Areas associated with the animal production area, but not directly associated with animal production activities.
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- = Does not include land application areas.
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- = Because it's not part of the animal production area, discharges of contaminated storm water to waters of the state are allowed under events less than a 25-year, 24-hour storm event.
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- = Permittee must take preventative maintenance actions and conduct visual inspections to minimize discharge of pollutants to surface waters.

- **(13)“CAFO outdoor vegetated area” [CVA]** means an area that is part of the ancillary service and storage area that consists of a large open outdoor vegetated area of land used by CAFO animals that is owned or operated by a CAFO and is adjacent or connected to, but not part of, the production area.
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- = Regulated under NR 243 and WPDES permit requirements.
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- = The permittee must implement all these practices:
- Manage stocking densities, implement management systems and manage feed sources to ensure that sufficient vegetative cover (80-90% vegetation) is maintained over the entire area at all times.
- Prohibit direct access of livestock/poultry to surface waters/wetlands located in/adjacent to the area, unless approved by DNR.
- Comply with other measures specified in permit to prevent exceedances of groundwater and surface water quality standards. (CVA Management Plan)
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- = Not subject to the zero discharge limitation (may discharge contaminated storm water to waters of the state, as long as the discharges comply with groundwater/surface water quality standards).
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- **(47)“Pasture or grazing area”** means an area where animals graze in large open areas, that is not adjacent to, or connected to, a CAFO production area, and where stocking densities, management systems and management of feed sources ensure that *\*sufficient vegetative cover is maintained over the entire area at all times*. A pasture or grazing area is not an animal feeding operation (AFO).
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- = Dispersing a portion of the facility’s animals away from production area for a period of time (ex: raising heifers on pasture).
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- **\*(64)“Sufficient vegetative cover”** means that crop residue or vegetation is present over an entire area in an amount and density of stand that slows the movement of and limits contaminated runoff and soil erosion. (80-90% vegetation)
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- = Not subject to NR 243 requirements or WPDES permit coverage, but is subject to NR 151 (Runoff Management) livestock performance standards and prohibitions (NR 243.03(34)).
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- = Maintain pasture as defined above, to keep it out of the WPDES permit.
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- **NR 151.015(8) “Feedlot”** means a barnyard, exercise area, or other outdoor area where livestock are concentrated for feeding or other purposes and self-sustaining vegetative cover is not maintained. “Feedlot” does not include a winter grazing area or a bare soil area such as a cattle lane or a supplemental feeding area located within a pasture, provided that the bare soil area is not a significant source of pollution to waters of the state.
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- Difference between Pasture/CVA and Feedlot = How it’s managed!
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- = Feedlots are part of the production area, and subject to zero discharge.
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- = Livestock may not come into direct contact with navigable waters.



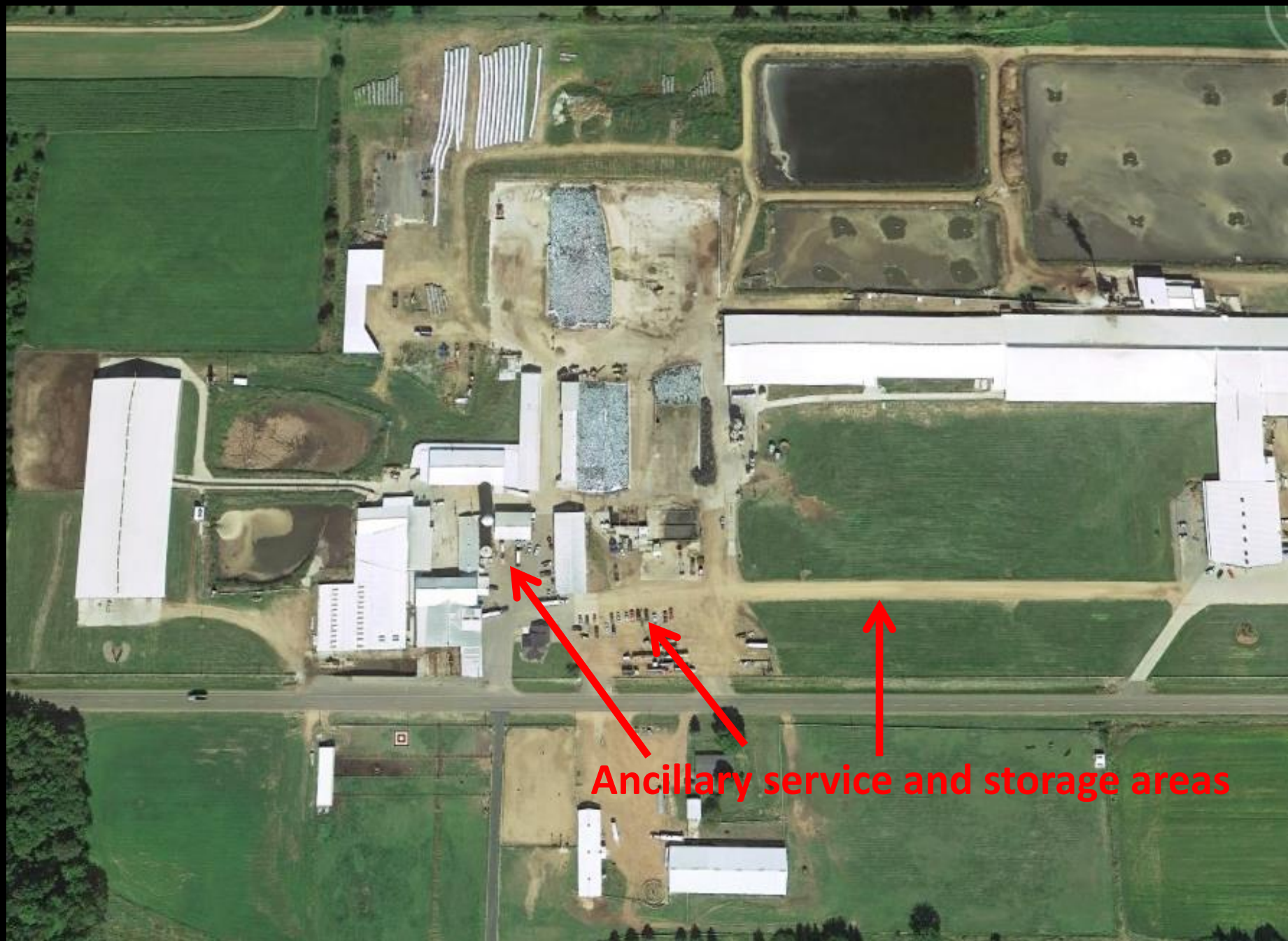




Production area

This is an aerial photograph of a wastewater treatment plant. The facility is situated in a rural area, surrounded by green agricultural fields. The plant's layout includes several large, rectangular aeration tanks in the foreground, which contain dark, aerated water. Behind these tanks is a large, central building with a white roof, identified by a red text label as the 'Production area'. To the left of this central building are several smaller, white, rectangular structures, likely part of the sludge handling or storage system. Further back, there are more buildings, including a large one with a grey roof and a smaller one with a brown roof. A road runs along the right side of the plant, and a small stream or ditch is visible on the left. The overall scene depicts a typical industrial facility for wastewater treatment in a rural setting.





**Ancillary service and storage areas**





CAFO Outdoor Vegetated Area (CVA)



Pasture/Grazing Area



CAFO  
Production  
Area







**Sufficient Vegetative Cover**





This is an aerial photograph of a farm. A large, rectangular, brownish area in the upper center is labeled 'Feedlot' in red text. Below the feedlot is a large white barn with a black roof. To the left of the barn are several smaller white buildings and a dirt road. To the right of the barn is a small pond. The farm is surrounded by green fields and a road runs along the left side.

**Feedlot**





**Feedlots**







**Continuous grazing**





**Managed Grazing**





**Mob Grazing**



**What about winter?**







**Move inside**





**Graze on crop residue**



Winter bale grazing

































# Grazing Information:

- DATCP grazing program ([www.grazing.wisc.edu](http://www.grazing.wisc.edu)), county staff specializing in grazing (County Conservation, Planning, & Zoning staff)
- NRCS grazing EQIP cost sharing ([www.nrcs.usda.gov](http://www.nrcs.usda.gov))
- GrassWorks ([www.grassworks.org](http://www.grassworks.org))
- River Country Resource Conservation and Development Council Inc ([www.rivercountryrcd.org](http://www.rivercountryrcd.org))
- Agronomists specializing in pasture management and grazing



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